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F.#2011R01302

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ DEC 19 2011 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

- - - - -X

UNITED STATES OF AMERICA

S U P E R S E D I N G  
I N D I C T M E N T

- against -

GRANVILLE EDINBURN WILLIAMS,  
also known as  
"Timothy Jevohn Simmons" and  
"Jermaine Mabry,"

Defendant.

Cr. No. 11-647 (S-1) (ENV)  
(T. 8, U.S.C., §§ 1326(a)  
and 1326(b)(2); T. 18,  
U.S.C., §§ 922(g)(1),  
922(g)(5)(A), 924(a)(2),  
924(d), 982(a)(6)(A),  
982(b)(1), 1028A(a)(1),  
1028A(b), 1028A(c)(7),  
1542 and 3551 et seq.;  
T. 21, U.S.C., § 853(p);  
T. 28, U.S.C.,  
§ 2461(c))

- - - - -X

THE GRAND JURY CHARGES:

COUNT ONE

(Felon In Possession of a Firearm)

1. On or about November 18, 2010, within the Eastern District of New York, the defendant GRANVILLE EDINBURN WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," having previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Smith and Wesson nine millimeter semi-automatic pistol, and ammunition.

(Title 18, United States Code, Sections 922(g)(1),  
924(a)(2) and 3551 et seq.)

COUNT TWO

(Illegal Alien In Possession of a Firearm)

2. On or about November 18, 2010, within the Eastern District of New York, the defendant GRANVILLE EDINBURN WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," an alien illegally and unlawfully in the United States, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Smith and Wesson nine millimeter semi-automatic pistol, and ammunition.

(Title 18, United States Code, Sections 922(g)(5)(A), 924(a)(2) and 3551 et seq.)

COUNT THREE

(Illegal Reentry)

3. On or about August 18, 2011, within the Eastern District of New York, the defendant GRANVILLE EDINBURN WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," an alien who had previously been deported from the United States after a conviction for the commission of an aggravated felony, was found in the United States, without the Secretary of the United States Department of Homeland Security having expressly consented to such alien's applying for admission.

(Title 8, United States Code, Sections 1326(a) and 1326(b)(2); Title 18, United States Code, Sections 3551 et seq.)

COUNT FOUR  
(Passport Fraud)

4. On or about April 25, 2010, within the Eastern District of New York, the defendant GRANVILLE EDINBURN WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," did willfully and knowingly use and attempt to use a passport the issuance of which was secured by reason of one or more false statements, to wit: the use of a false name, false date of birth and false Social Security number.

(Title 18, United States Code, Sections 1542 and 3551 et seq.)

COUNT FIVE  
(Aggravated Identity Theft)

5. In or about and between April 2009 and August 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant GRANVILLE EDINBURN WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," during and in relation to the crime charged in Count Four, did knowingly and intentionally possess and use, without lawful authority, means of identification of another person, to wit: John Doe, an individual whose identity is known to the Grand Jury, knowing that the means of identification belonged to another person.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), 1028A(c)(7) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

6. The United States hereby gives notice to the defendant GRANVILLE WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," that upon his conviction of the crime charged in Count One or Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922(g), including but not limited to a Smith and Wesson nine millimeter semi-automatic pistol, and ammunition seized on or about November 18, 2010.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value;  
or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT FOUR

8. The United States hereby gives notice to the defendant GRANVILLE WILLIAMS, also known as "Timothy Jevohn Simmons" and "Jermaine Mabry," that upon his conviction of the crime charged in Count Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(6)(A), which requires any person convicted of such offense to forfeit: (a) any conveyance, including any vessel, vehicle or aircraft used in the commission of the offense; (b) any property, real or personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the offense; and (c) any property, real or personal, that is used to facilitate, or is intended to be used to facilitate, the commission of the offense.

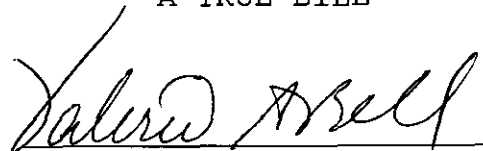
9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

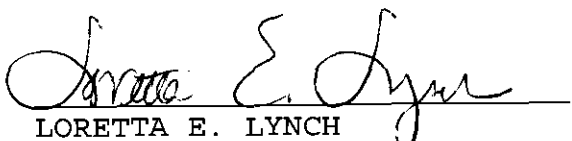
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(6)(A) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL

  
FOREPERSON

  
LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

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**UNITED STATES DISTRICT COURT**

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EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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**THE UNITED STATES OF AMERICA**

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vs.

*GRANVILLE EDINBURN WILLIAMS,*  
*also known as "Timothy Jevohn Simmons"*  
*and "Jermaine Mabry,"*

Defendant.

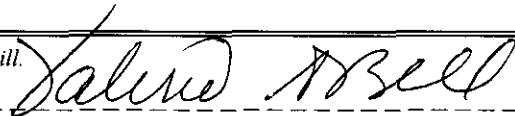
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**SUPERSEDING INDICTMENT (S-1)**

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(T. 8, U.S.C., §§ 1326(a) and 1326(b)(2); T. 18, U.S.C.,  
§§ 922(g)(1), 922(g)(5)(A), 924(a)(2), 924(d), 982(a)(6)(A),  
982(b)(1), 1028A(a)(1), 1028A(b), 1028A(c)(7),  
1542 and 3551 et seq.; T. 21, U.S.C., § 853(p);  
T. 28, U.S.C., § 2461(c))

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*A true bill.*

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*Foreman*

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*Filed in open court this \_\_\_\_\_ day,**of \_\_\_\_\_ A.D. 20\_\_\_\_*

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*Clerk*

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***David Sarratt, Assistant U.S. Attorney (718-254-6418)***